

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JARBOR MCELROY a/k/a LATWAHN)
MCELROY,)
Plaintiff,)
v.)
W. L. MUNIZ, et. al.,)
Defendants.)

No. C 15-00042 EJD (PR)
ORDER OF DISMISSAL

Plaintiff, a state prisoner at Salinas Valley State Prison, filed the instant pro se civil rights action pursuant to 42 U.S.C. § 1983. On April 21, 2015, the Court conducted a preliminary screening of this case pursuant 28 U.S.C. § 1915A(a). (Docket No. 10.) The Court found that Plaintiff had failed to specify how each individual defendant caused a constitutional deprivation. (*Id.* at 2.) The Court dismissed the complaint with leave to amend to allow Plaintiff to attempt to correct this deficiency. (*Id.* at 3.) Plaintiff was ordered to file an amended complaint by May 21, 2015. (*Id.* at 4.) Plaintiff was warned that failure to file an amended complaint by the deadline would result in dismissal of this action. (*Id.*)

On April 29, 2015, Plaintiff filed a complaint in this case. (Docket No. 11.) However, it is the same complaint that he filed originally, and has the same deficiencies

1 which the Court identified in its April 21, 2015, Order of Dismissal with Leave to
2 Amend. Accordingly, the Court DISMISSES this action without prejudice. The Clerk
3 shall terminate all pending motions and deadlines.

4
5 DATED: 5/20/2015


EDWARD J. DAVILA
United States District Judge

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28